

AUGUST 11, 2006

U.S. DISTRICT COURT W.D. PA  
HONORABLE SUSAN PARADISE BAXTER  
17 S. Park row, Room A280  
Erie, PA 16501

FILED  
06 AUG 16 11:08

IN RE: CLAY v. REEVES, et al 1:05-cv-125; Preliminary  
Injunction Exhibits to Resubmit.

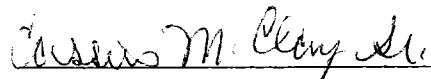
Justice BAXTER;

Greetings, I am in receipt of your Docket text Order, of 8/10/2006, and I am not suprised that you have not gotten my Correspondence, which was comprised of the Exhibits that are very important in deciding this Matter.

This is another way the defendants try to Thwart my access to justice, as I have indeed Mailed the Applicable Exhibits on August 3, 2006, as I stated. There have been many instances of Mail Tampering here, and this just backs up what I have stated all along. Here are some of the other papers again, without the Staff's Paper, (which had the four cases I submitted, listed as closed, and this case was not even taken into consideration) as I only had the Original to send, as I ran out of Money on my Copy card, and sent the Original to Mr. Maravich with his Copies.

I hope that these Exhibits get to you, as I will send them to a third party to mail, and also File a Grievance Concerning this Matter, at once!

VERY TRULY;



CASSIUS M. CLAY SR. DQ5954  
P.O. BOX 945  
Marienville, PA 16239

c.c. Attorney Craig Maravich  
Judge Baxter  
File

U.S. ATTORNEY GENERAL'S OFFICE

CRAIG E. MARAVICH

Manor Complex, 564 Forbes ave.

Pittsburgh, Pa 15219-2908

**IN RE: PRELIMINARY INJUNCTION HEARING EXHIBITS**

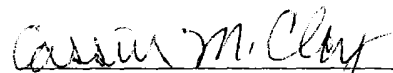
Dear Mr. Maravich

Greetings, here are some of the Exhibits that were requested by the Court, on Monday, and I hope and Pray that they can be of help in resolving these many conflicts, and in making the Determination concerning the Granting of the Motion.

These are only some of the relevant papers that I still have from my Motions into the Family Division Court for a Modification of the **ARREARAGES**, some of the relevant papers that include the D.O.C.'s Proposition that this §1983 Civil Action Law-Suit is not Open/Active, which proves that the Staff, Employees, friends, Successors, of some of the Defendants, (Beard, Burks) continue to impede this Plaintiff's Rights to the Due Process of law, by the intentional delay in his Access to the courts, by the taking of his legal materials and forcing him to send them home, and also by the acts of stating that the majority of his cases are Closed, and not allowing the Plaintiff to retain the requisite Legal Material in his cell for research, and to use as Exhibits to copy and send in as proof, backing up his many Meritorious Claims.

I WOULD LIKE TO THANK YOU IN ADVANCE FOR LOOKING INTO THESE VERY IMPORTANT MATTERS, AND MY FAMILY AND I TRULY APPRECIATE THE ASSISTANCE.

SINCERELY;



CASSIUS M. CLAY D05954

P.O. BOX 945

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
<b>INMATE'S REQUEST TO STAFF MEMBER</b>		<b>INSTRUCTIONS</b> Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) <b>DEPUTY WARDEN HEASTER</b>		2. Date: <b>6/30/06</b>	
3. By: (Print Inmate Name and Number) <b>CASSIUS M. CLAY DQ5954</b>  <i>Cassius M. Clay</i> Inmate Signature		4. Counselor's Name <b>MRS. COULL</b>	
6. Work Assignment <b>LEGAL AIDE</b>		5. Unit Manager's Name <b>MRS. McCREARY</b>	
7. Housing Assignment <b>EB-1023</b>		8. Subject: State your request completely but briefly. Give details.  ON 6-29-06, I WAS AGAIN CALLED DOWN TO STRIP-SEARCH/ VISITING AREA, TO TRY TO RECTIFY THE SITUATION CONCERNING MY LEGAL MATERIAL. I WAS SHIPPED HERE IN 2004, AND HAD FOUR CASES OPEN, MOSTLY ON APPEAL. AS SUCH I HAD FOUR BOXES OF LEGAL MATERIAL, WHICH COINCIDED WITH THESE CASES. MY BOXES WERE HELD FOR A FEW WEEKS, AS I AWAITED AUTHORIZATION TO HAVE THEM IN MY POSSESSION. COUPLED WITH BEING TRANSFERRED, NO LAW-LIBRARY HERE, AND THE MAIL EITHER NOT RECEIVED, OR LATE, THE TIME FOR ME TO APPEAL MY FEDERAL HABEAS CORPUS DECISION RAN OUT. I EVENTUALLY RECEIVED PERMISSION TO HAVE 3 EXTRA BOXES OF LEGAL MATERIAL IN MY POSSESSION BY DEPUTY NICEWONGER, WHERE SGT., CATO SIGNED THE AUTHORIZATION, AND GAVE ME A COPY. THIS COPY MYSTERIOUSLY DISAPPEARED WHEN I WENT TO THE HOLE? I HAVE FILED MANY GRIEVANCES CONCERNING THE RETALATION AND CONFISCATION OF MY LEGAL MATERIAL BY THE UNIT MANAGER, WHO HAD MY LEGAL MATERIAL TAKEN BECAUSE OF A PRIOR GRIEVANCE. I WAS TOLD BY THE LT. AND MRS. KENNEDY TO WRITE YOU TO GET MY 2BOXES AUTHORIZED.	
9. Response: (This Section for Staff Response Only)			
<i>Major Wojcik for follow-up.</i> <i>SLH</i>			
<i>Regarding to U.S.P. #11944 you have one active case. See attached. You need to prove that you have more than one active case.</i>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

*E.T. Wojcik*  
Print

Sign

Date

*7-11-06*

U.S. District Court  
Western District of Pennsylvania (Erie)  
CIVIL DOCKET FOR CASE #: 1:05-cv-00125-SJM-SPB

CLAY v. REEVES, et al  
Assigned to: Judge Sean J. McLaughlin  
Referred to: Magistrate Judge Susan Paradise Baxter  
Demand: \$0  
Cause: 42:1983pr Prisoner Civil Rights

Date Filed: 04/28/2005  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**CASSIUS M. CLAY, SR.**

represented by **CASSIUS M. CLAY, SR.**  
DQ-5954  
SCI Forest  
Post Office Box 945  
Marienville, PA 16239-0945  
PRO SE

**V.**

**Defendant**

**TRACEY REEVES**

**Defendant**

**JOANNE MILLER**

**Defendant**

**ANGIE MARHEAFKA**

**Defendant**

**JACK LOUGHRY**

**Defendant**

**RICHARD GAYDOS**

**Defendant**

**CANDIS BRIMMER**

**Defendant**

**L.P. BENNING**

**Defendant**

**D.J. WAKEFIELD**

**Defendant**

**SHARON M. BURKS**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS CLAY, SR.,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 05-125E
v.	)	Judge Sean J. McLaughlin
	)	Mag. Judge Susan Paradise Baxter
TRACEY REEVES, et al.,	)	
	)	
Defendants.	)	

MOTION TO DISMISS

AND NOW, come the defendants, Tracey Reeves, Angie Marhefka, Jack Loughry, Burks, Candis Brimmer, Dr. Jeffrey A. Beard, D.J. Wakefield, by their attorneys, Thomas W. Corbett Jr., Attorney General, Craig E. Maravich, Deputy Attorney General, and Susan J. Forney, Chief Deputy Attorney General, Chief, Litigation Section, and respectfully submit the following:

1. Please incorporate recently served defendants Candis Brimmer and Dr. Jeffrey A. Beard into the previously filed Motion to Dismiss and Brief in Support (Docs. & 26 & 27).